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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/521,893	01/19/2005	Arnoldus Theodorus Steenkamer	903-128 PCT/US	8852

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EXAMINER

YAN, REN LUO

ART UNIT	PAPER NUMBER
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2854

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/20/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/521,893

Applicant(s)

STEENKAMER ET AL.

Examiner

Ren L. Yan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 3-12 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,13-15,17,18 and 20 is/are rejected.
- 7) ☒ Claim(s) 16 and 19 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>1-19-2005</u> . | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Applicant's election with traverse of Species II with readable claims 1, 2 and 13-20 in the reply filed on 1-25-2007 is acknowledged. The traversal is on the ground(s) that the claims of the subject application relate to only one invention, as defined by independent claim 1, mainly the travel-limiting means are required by both Species A and B and thus the claimed invention is directed to a single general inventive concept. This is not found persuasive because the present specification clearly discloses two distinct embodiments which are represented by Figs. 1-4 and 5-8, respectively and claims 1-20 are clearly directed to the respective distinct species. It is agreed that claim 1 is generic to both species. However, the same of corresponding special technical features as claimed are lacking in both species. The structural requirement for the squeegee unit and the travel limiting means for Species A as shown in Fig. 4 is clearly distinct from that of Species B, and vice versa. Accordingly, Species A and Species B are clearly directed to mutually exclusive and patentably distinct inventions. Applicant's election of claims 13-20 as readable only on Species B is another clearly indication that Species A and Species B are distinct.

The requirement is still deemed proper and is therefore made FINAL.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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Claims 1, 13-15, 17 and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Mitter(4,232,601).

The patent to Mitter teaches the structure of a squeegee unit for a rotary screen-printing device as claimed comprising: a blade squeegee, with a squeegee edge 5 which is designed, during operation of a rotary screen-printing device in which the squeegee unit is mounted, to be pressed against the inner side of a cylindrical screen 1 of the rotary screen-printing device, and a squeegee holder 4 to which the squeegee is fastened, it being possible for the squeegee edge 5 to be moved away from the squeegee holder 4 and towards the squeegee holder, and a resilient element 6 being arranged between the squeegee edge and the squeegee holder, in such a manner that the squeegee edge 5 is pressed away from the squeegee holder by spring force, said squeegee unit being provided with travel-limiting means 42 which are designed in such a manner that the squeegee edge can move over a relatively short distance from the working position in the direction away from the squeegee holder. See Figs. 1-3 and column 2, line 52 through column 3, line 61 in Mitter for details.

With respect to claim 13, Mitter teaches blade squeegee is formed by at least one elongate squeegee bar 144 which is designed to be rigid in cross section and is secured to the squeegee holder via at least one spring hinge(the narrow section between squeegee holder 4 and squeegee bar 144) with high stiffness.

With respect to claim 14, Mitter teaches the squeegee bar is composed of at least one elongate squeegee support profile 144 and a squeegee strip 5 which is secured to the squeegee support profile, forms the squeegee edge and is made from slightly flexible material.

With respect to claim 15, Mitter teaches the edge strip is arranged on a squeegee blade 45

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which bears taut against the squeegee support profile.

With respect to claim 17, Mitter teaches the squeegee support profile 144 forms an integral part with an elongate bar which forms part of the squeegee holder, and in which the spring hinge is formed by an intermediate part which is located between the squeegee support profile and the elongate bar and has a thickness which is less than the thickness of the squeegee support profile.

With respect to claim 18, Mitter teaches the squeegee blade 45 is elongate and in cross section is approximately L-shaped, and in which that longitudinal edge region of the squeegee blade which is positioned opposite the edge strip is clamped into a slot in the elongate bar, and that section of the squeegee blade on which the edge strip is arranged bears taut against the squeegee support profile.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mitter.

Mitter teaches all that is claimed except for the range that the squeegee edge moves from the working position and the stiffness of the hinge spring as recited. However, it has been held by the Court that "where the general conditions of a claim are disclosed in the prior art, it is not inventive to discover the optimum or workable ranges by routine experimentation." In re Aller, 220 F.2d 454, 456, 105 USPQ 233, 235 (CCPA 1955) In the present invention, one of ordinary skill in the art, when presented by the teaching of Mitter, would be able to determine the

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desirable range that the squeegee edge moves from the working position and the desired stiffness of the hinge spring through obvious routine experimentation.

Claims 16 and 19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is an Examiner's statement indicating allowable subject matter:

With respect to claim 16, no prior art has been found to teach that the squeegee support profile is divided in the longitudinal direction into segments positioned close together in combination with the rest of the squeegee unit structure.

With respect to claim 19, the requirement that the squeegee blade is positioned with respect to the squeegee support profile by virtue of the longitudinal edge of the squeegee blade located next to the edge strip bearing against a projection on the edge of the squeegee support profile in combination with the rest of the squeegee unit structure is not taught by the prior art of record.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ren L. Yan whose telephone number is 571-272-2173. The examiner can normally be reached on 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on 571-272-2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Ren L Yan
Primary Examiner
Art Unit 2854

Ren Yan
April 10, 2007